

MINUTES
CITY PLAN COMMISSION

City Plan Commission, Tuesday, September 13, 2011 at 4:00 p.m. in the Third Floor conference room, City Hall, 828 Center Avenue. Chairperson Mayor Bob Ryan presided.

Present: Mayor Ryan, Jerry Jones, John Van Der Male, Don Cvetan, Ryan Sazama and Ald. Kevin Sampson

Staff present: Steve Sokolowski and Chad Pelishek

Others present: Kendall McFarland, Calvin Sparks, Jim Musso, Mark Hertzfeldt, Ross Manich, Ald. Julie Kath, Chief Domagalski, Rufino Martinez, Jr., Kathy Martinez, Amanda and Emma Martinez and Pritesh Patel

The meeting was called to order and the Pledge of Allegiance was recited.

Approval of minutes of the August 15, 2011 and August 23, 2011 meetings.

John Van Der Male moved, Jerry Jones seconded to approve the minutes of the August 15 and August 23, 2011 meetings. The motion passed unanimously.

Conditional Use Permit and variance application by Wisconsin Power and Light Company to construct a temporary equipment storage area for ongoing projects at the Edgewater Generating Station.

Kendall McFarland, Calvin Sparks and Jim Musso were present to discuss this matter with the Commission.

As part of the ongoing construction project is at the Edgewater Generating Station, the applicant is requesting permission to store construction material on parcel #321160. The area will be gravel during construction and restored back to its original state (approximately around 2015). The land will be needed for storage for more than one year, therefore a Conditional Use Permit is required under the Zoning Ordinance.

Following due consideration, Jerry Jones moved, Ryan Sazama seconded to approve with the following conditions:

1. Submittal/approval of a proposed storm drainage plan.
2. Prior to construction and operation, the applicant shall obtain all necessary permits and licenses including but not limited to building, plumbing, electrical, HVAC, fire, EPA, DNR, etc.

3. In no way shall the use of this site create any nuisance issues including but not limited to noise (generator, equipment, vehicles, etc.), garbage, tracking of dirt or gravel, dust, storm drainage, lighting, hours of operation, lighting, etc. If any nuisance issues arise, the applicant shall rectify these issues immediately.
4. The site will be kept in a dustless condition.
5. The applicant shall completely restore the property used for the temporary storage to its original state with grass/landscaping within 60 days after the SCR project is complete. However, if future air quality control systems (AQCS) projects occur shortly after the SCR project is complete (60 days), the applicant may continue to use parcel #321160 for temporary storage purposes until those project are complete. The applicant shall completely restore the property used for the temporary storage to its original state with grass/landscaping within 60 days after the future improvements AQCS projects are complete.

The motion passed unanimously.

Conditional Use Permit and variance application by Poblocki Sign Company, LLC to update existing signage at Associated Bank, 1217 North Taylor Drive.

Ross Manich, representing the applicant, was present to discuss this matter with the Commission.

The applicant is proposing to install new signage as part of a re-branding campaign. The new signage includes a new pylon sign, monument sign, new non-illuminated letters and four new directional signs.

Commission discussed the proposed pylon sign on the southwest corner of the lot and indicated the City is encouraging the use of monument signs along that corridor.

Following due consideration, Jerry Jones moved, Ryan Sazama seconded to approve with the following conditions:

1. Applicant shall obtain the necessary sign permits prior to installation.
2. All new lighting shall be installed per Section 15.707 of the City of Sheboygan Zoning Ordinance. There shall be no spillover light onto adjacent properties or the streets.
3. All freestanding sign shall meet the required 12 foot setback from all property lines (closest edge of sign to property line). It is the responsibility of the applicant to insure the sign meets the required 12 foot sign setback. If the sign(s) does not meet the 12 foot setback, the applicant will be required to resubmit the conditional use, variance and sign permit application request.
4. The free standing signs shall be designed so as to not impede or impair vehicular and pedestrian traffic movement, or exacerbate the potential for pedestrian/vehicular conflicts.
5. Applicant shall verify that the proposed sign location is located outside of the vision triangle per Section 15.703 of the City of Sheboygan Zoning Ordinance, Visibility Standards (from the corner of the intersection, 15 feet to the west along Taylor Drive and 15 feet south along Wilgus Avenue).

6. All temporary signage/banners shall be removed prior to sign permit issuance.
7. If there are any amendments to the approved site/sign plan, the applicant will be required to submit a new conditional use application reflecting those amendments.
8. Applicant shall work with staff with regards to constructing a well designed monument sign at the southwest corner of the site. Staff may bring the proposed signage design back to the Plan Commission for review/approval.

A variance was granted to allow a nine (9) foot high monument sign where the maximum monument sign height is 8 feet.

The Plan Commission denied the proposed pylon sign because the proposed pylon sign does not enhance the quality of life in our community and does not protect and enhance this primary City of Sheboygan entryway. The Plan Commission suggested that Associated Bank/Poblocki Sign replace the pylon sign with a new monument sign at this location and that the applicant work with staff to install a monument sign meeting the sign ordinance requirements.

The motion passed unanimously.

Conditional Use Permit application by Poblocki Sign Company, LLC to update existing signage at Associated Bank, 3007 S. Business Dr.

Ross Manich, representing the applicant, was present to discuss this matter with the Commission.

The Bank is proposing to install new signage to reflect their new re-branding. The sign package includes a face change to the existing pylon sign, a new non-illuminated letter set and three new directional signs. The total square footage of proposed signage on the site will be reduced by 7.5 square feet.

Following due consideration, Ryan Sazama moved, John Van Der Male seconded to approve with the following conditions:

1. The necessary sign permit shall be obtained prior to installation.
2. All new lighting shall be installed per Section 15.707 of the City of Sheboygan Zoning Ordinance. There shall be no spillover light onto adjacent properties or the streets.
3. All temporary signage/banners shall be removed prior to sign permit issuance.
4. If there are any amendments to the approved site/sign plan, the applicant will be required to submit a new conditional use application reflecting those amendments.

The motion passed unanimously.

Conditional Use Permit and variance application by Lakeland Automotive to install wall and pylon signs at 4000 North Frontage Road.

Mark Hertzfeldt, representing the applicant, was present to discuss this matter with the Commission.

The applicant is proposing signage for the Honda, Toyota, Mazda and Subaru dealerships. The signs include pylon signs, directional signs and wall signs. Applicant will be changing the signs for all four automotive brands to locate the sign on the correct lot and in locations that make the most sense for each dealership.

Following due consideration, Ryan Sazama moved, John Van Der Male seconded to approve with the following conditions:

1. Applicant shall obtain the necessary sign permits prior to installation.
2. All new lighting shall be installed per Section 15.707 of the City of Sheboygan Zoning Ordinance. There shall be no spillover light onto adjacent properties or the streets.
3. All freestanding sign shall meet the required 12 foot setback from all property lines (closest edge of sign to property line). If the sign(s) does not meet the 12 foot setback, the applicant will be required to resubmit the conditional use, variance and sign permit application request.
4. Applicant shall verify that the proposed sign location is located outside of the vision triangle per Section 15.703 of the City of Sheboygan Zoning Ordinance, Visibility Standards (from the corner of the intersection, 15 feet to the west along N. Frontage Road and 15 feet north along N. 40th Street).
5. The free standing and directional signs shall be designed so as to not impede or impair vehicular and pedestrian traffic movement, or exacerbate the potential for pedestrian/vehicular conflicts.
6. The proposed directional signs will be located on private property and not on public right-of-way.
7. Applicant is required to remove all temporary signage.
8. If there are any amendments to the approved sign plan, the applicant will be required to submit a new conditional use application reflecting those amendments.
9. A conditional use permit is required for any future signs Lakeland Auto may want to install.

The following variances were granted:

- Install 9 wall signs on the south building elevation facing Highway 23 where the maximum number of wall signs permitted is 4.
- Install a 35 foot high Toyota pylon sign where a maximum permitted height of a pylon sign is 30 feet.
- Install a 35 foot high Honda pylon sign where a maximum permitted height is 30 feet.
- Install 4 pylon signs where a maximum number of freestanding signs permitted is one per street frontage (property fronts on 3 streets) 3 pylon signs are permitted.

The motion passed unanimously.

Conditional Use Permit and variance application by Rufino Martinez, Jr. to construct a new outdoor patio at the Rehab Bar and Grill, 1450 South 8th Street.

Kathy and Rufino Martinez, Jr., Martinez, Amanda and Emma Martinez, and Chief Domagalski, were present to discuss this matter with the Commission.

The Plan Commission held for 90 days the Conditional Use Permit to construct a new outdoor patio at their May 24, 2011 meeting due to concerns and complaints the Police Department regarding the Rehab Bar and Grill.

Chief Domagalski indicated there have been a number of contacts with the Police Department since May and based on those complaints, recommended the Plan Commission not grant the Conditional Use Permit.

Ald. Sampson indicated he felt the applicants have not demonstrated the ability to operate the bar in a responsible manner and felt the installation of the temporary fence was not appropriate and should be removed.

Mayor Ryan suggested the applicants have open communication with their neighborhood police officer assigned to their area.

Following due consideration, Ryan Sazama moved, Don Cvetan seconded to deny the Conditional Use Permit and the temporary orange fencing located to the north of the building shall be removed by September 23, 2011. The motion passed unanimously.

Site Plan Review application by Pritesh Patel to operate a liquor store from 2919 South 12th Street (former Aurora Pharmacy).

Pritesh Patel was present to discuss this matter with the Commission.

The applicant is proposing to operate a liquor store at this location.

The Zoning Ordinance does not require the surrounding property owners to be notified. The liquor store is a permitted use in this zoning district with a Site Plan Review application. However, Ald. Jim Bohren requested the item be held and inform the School District and surrounding neighbors of the proposed use of the next Plan Commission meeting.

The applicant will also need to appear before the Law and Licensing Committee for a liquor license.

John Van Der Male moved, Ryan Sazama seconded to hold. The motion passed 5-1 with the Mayor voting no.

Being no further business, the meeting adjourned at 5:15 P.M.

Carol Rudie
Recording Secretary